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| DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION AND POWER OF ATTORNEY | | Docket No.: FS-00747 |
| | | First Named Inventor: Robert R. Ricci, et al. |
| | | <i>Complete if known</i> |
| <input checked="" type="checkbox"/> Declaration -or- <input type="checkbox"/> Declaration Submitted with initial filing submitted after initial filing | | Application No: Unassigned |
| | | Application Filing Date: Concurrently |
| | | Group Art Unit: Unassigned |
| | | Examiner Name: Unassigned |

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DELIVERY POINT PACKAGER TAKEAWAY SYSTEM AND METHOD

The specification of which:

(check one) is attached hereto
 was filed on _____
 as Application Serial No. _____
 and was amended on _____
 (if applicable)

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56.*

37, Code of Federal Regulations, § 1.56

- (a) *A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith toward the Patent and Trademark Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) it establishes , by itself or in combination with other information, a prima facie case of unpatentability; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability.

PRIORITY CLAIMS**Foreign and Provisional Applications**

| I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) or (f) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed. I hereby also claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below. | | | | |
|--|------------------------|--------------------------|--------------------------|---|
| Prior Application Number(s) | Country or Provisional | Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? Yes - No |
| | | | <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
| <input type="checkbox"/> Additional foreign, PCT and/or provisional application numbers are listed on a supplemental priority sheet attached hereto. | | | | |

U.S. and PCT Applications

| I hereby claim the benefit under Title 35, United States Code § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of the Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application. | | | |
|---|-------------------|---------------------------------|--|
| U.S. Parent Application Number | PCT Parent Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number <i>(if applicable)</i> |
| U.S. App. No. 10/411,198 | | April 11, 2003 | |
| | | | |
| <input type="checkbox"/> Additional U.S. and/or PCT international application numbers are listed on a supplemental priority sheet attached hereto. | | | |

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following individuals as attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith.

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DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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